

## Autopsy Record Request

This policy establishes the procedures for requesting and processing autopsy requests by the Arkansas Department of Health. The Arkansas Department of Health has the authority to request autopsy records, files, and information from the Arkansas State Crime Laboratory under Act 892 of 2011 (Ark. Code Ann., Section 12-12-312 (a)(1)(B)(iii)) for the purpose of implementing the quality improvement provisions of the Trauma System Act (Act 393 of 2009 – Ark. Code Ann., Section 20-13-801 et seq).

### Definitions

**Quality Improvement:** Clinical quality improvement is an interdisciplinary process designed to raise the standards of the delivery of preventative, diagnostic, therapeutic, and rehabilitative measures in order to maintain, restore, or improve health comes of individuals and populations. Quality improvement within the trauma system includes data collection, joint peer review, and joint system review.

**Regional Trauma Nurse Coordinator:** The Arkansas Department of Health, Trauma Section employee designated to process autopsy requests from hospitals participating in the trauma system.

**Designated Trauma Center:** A hospital that has successfully passed through the Arkansas Department of Health designation process to become an Arkansas designated Level I, II, III, or IV hospital.

**Hospital in Pursuit of Designation:** A hospital that is in pursuit of Level I, II, III, or IV hospital designation in the Arkansas Trauma System.

**Autopsy Record:** All patient records, films, etc., related to the patient examined by the Arkansas State Crime Laboratory.

### Procedure

The pre-identified representative of an Arkansas designated trauma centers or hospitals in pursuit of designation may obtain autopsy records for quality improvement purposes by contacting the Arkansas Department of Health, Regional Trauma Nurse Coordinator. Please contact one of the Regional Trauma Nurse Coordinator by calling (501) 683-0707 or by sending an e-mail message.

A form is provided on the Arkansas Department of Health website for requesting autopsy records: <http://www.healthy.arkansas.gov/programsServices/injuryPreventionControl/TraumaticSystems/Documents/trauma/Autopsy/AutopsyRequestForm.pdf>

Please request one autopsy record per form.

Completed and signed forms should be mailed to: Arkansas Department of Health, Trauma Section, 4815 West Markham, Slot 4, Little Rock, AR 72205. The form can also be signed, scanned and e-mailed to your Regional Trauma Nurse Coordinator.

The Regional Trauma Nurse Coordinator will request the autopsy record from Deputy Director at the Arkansas State Crime Laboratory, within seven days of receipt of the signed request form.

The Arkansas State Crime Laboratory will provide the autopsy record in an electronic format to the Arkansas Department of Health, Trauma Section.

The Regional Trauma Nurse Coordinator will deliver the autopsy record in the electronic format provided by the Arkansas State Crime Laboratory to the requesting hospital. Copies of the autopsy record will not be kept by the Arkansas Department of Health.

Act 892 states that records maintained by the Arkansas State Crime Laboratory are “privileged and confidential.” Act 393 states that records collected by the Arkansas Department of Health for purposes of quality improvement of the trauma system are not subject to disclosure under the Freedom of Information Act “to the extent that it identifies or could be used to identify any individual patient, provider, institution, or health plan.” In addition, Act 393 states as follows with respect to records utilized for quality improvement purposes: “All information shall be treated in a manner that is consistent with all state and federal privacy requirements, including without limitation the Federal Health Insurance Portability and Accountability Act of 1996 privacy rule, 45 C.F.R. Section 164.512ci.”

Autopsy records should be utilized for quality improvement purposes only and, in order to comply with pertinent statutory and regulatory provisions, must be afforded appropriate security while in possession of the hospital.

#### **Disposition of Autopsy Records**

When no longer needed for quality improvement purposes, the autopsy record will be destroyed by the receiving hospital.